



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

FEB 18 2016

CERTIFIED MAIL 7015 1730 0002 0524 5420

RETURN RECEIPT REQUESTED

Ms. Bertha M. Goldenberg, P.E.  
Assistant Director, Regulatory Compliance & Planning  
Miami-Dade Water and Sewer Department  
Miami-Dade County  
3071 SW 38<sup>th</sup> Avenue  
Miami, Florida 33146

Re: Consent Decree (Case: No.: 1:12-cv-24400-FAM), Reference DOJ Case No.: 90-5-1-1-4022  
Section VIII – Supplemental Environmental Project, Paragraph 23,  
Section XX – Modification, Paragraph 82  
Appendix E – Supplemental Environmental Project (SEP) Plan  
Request for Non-material Change (SEP Plan)

Dear Ms. Goldenberg:

The U.S. Environmental Protection Agency Region 4 and the Florida Department of Environmental Protection (FDEP) are in receipt of Miami-Dade County's (Miami-Dade) October 16, 2015, request to modify the area covered for the SEP Plan set forth in Appendix E of the above-referenced Consent Decree (CD). Specifically, the map provided in Appendix E of the CD was a project-level map subject to change. After further engineering review, Miami-Dade has determined that only a portion of the area can have new gravity sanitary sewers installed and still meet the terms of the SEP requirements. Specifically, Miami-Dade's modification request included a map of the area broken down into five (5) "sectors," three (3) of which made up the original SEP area. The other two sectors are in the same pump station basin and may be provided sanitary sewer service by Miami-Dade as a non-CD project in the future. Miami-Dade's October 16, 2015 request to modify states that Miami-Dade can only provide gravity sewers to sectors 2 and 5 and still meet or exceed the SEP requirements of installing 7,660 feet of new gravity sewers, serving at least 74 businesses by the new gravity sewers, and expending at least \$2,200,000 on the SEP project. The EPA and the FDEP hereby approve this request.

The EPA and the FDEP agree that the change of the size of the area provided new sanitary sewers under the SEP shall constitute a non-material modification to the CD. If you should have any questions regarding this matter, please contact Mr. Brad Ammons of the EPA at (404) 562-9769 or via email at [ammons.brad@epa.gov](mailto:ammons.brad@epa.gov).

Sincerely,



Denisse D. Diaz, Chief  
NPDES Permitting and Enforcement Branch  
Water Protection Division



Jennifer Smith, Assistant Director  
Florida Department of Environmental Protection  
Southeast District Office

cc: See Attached Mailing List

**Mailing List:**

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Mr. Robert A. Cuevas, Jr.  
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Mr. William A. Weinischke  
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Ms. Rachael Amy Kamons  
U.S. Department of Justice

